

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STEVE SHAPIRO and STEVE SHAPIRO
MUSIC,

Plaintiffs,

v.

JUPITERIMAGES CORPORATION,

Defendant.

CASE NO. 3:07-CV-5540 PJH

[PROPOSED] ORDER GRANTING
DEFENDANT JUPITERIMAGES
CORPORATION'S MOTION FOR
ATTORNEY FEES

Date: March 12, 2008

Time: 9:00 a.m.

Place: Courtroom 3

Defendant Jupiterimages Corporation ("Jupiterimages" or "Defendant") has filed a motion for attorney fees. The Court hereby grants such motion for the following reasons.

There was an Asset Purchase Agreement ("Agreement") between Plaintiffs Steve Shapiro and Steve Shapiro Music¹ (collectively "Shapiro") and Defendant Jupiterimages Corporation ("Jupiterimages"). The Agreement provides, in relevant part, that "[i]f either party employs attorneys to enforce any rights arising out of or relating to this Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees."

¹ Steve Shapiro does business as Steve Shapiro Music; Steve Shapiro Music is an entity.

1 Plaintiff filed a declaratory relief lawsuit regarding the Agreement against
2 Jupiterimages in California. That lawsuit was removed to this Court. This Court granted
3 Jupiterimages' motion to dismiss because declaratory relief was improper in this Court. This Court
4 then entered Judgment in favor of Jupiterimages.

5 As such, Jupiterimages is the prevailing party under the Agreement.

6 In addition, attorney fees are appropriate under the Court's inherent authority.

7 IT IS HEREBY ORDERED that Defendant's motion for attorney fees of \$68,000 is
8 GRANTED.

9
10 Date: March _____ 2008

HON. PHYLLIS J. HAMILTON

JMBM
Jeffer Mangels
Butler & Marmaro LLP